

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

HANNAH SABATA; DYLAN  
CARDEILHAC; JAMES CURTRIGHT;  
JASON GALLE; RICHARD GRISWOLD;  
MICHAEL GUNTHER; ANGELIC NORRIS;  
R. P., a minor; ISAAC REEVES; ZOE RENA;  
and BRANDON SWEETSER; on behalf of  
themselves and all others similarly situated;

**4:17CV3107**

Plaintiffs,

vs.

NEBRASKA DEPARTMENT OF  
CORRECTIONAL SERVICES; SCOTT  
FRAKES, in his official capacity as Director of  
the Nebraska Department of Correctional  
Services; HARBANS DEOL, in his official  
capacity as Director of Health Services of the  
Nebraska Department of Correctional Services;  
NEBRASKA BOARD OF PAROLE; JULIE  
MICEK, in her official capacity as the Board of  
Parole Acting Parole Administrator; and  
DOES, 1 to 20 inclusive;

**ORDER**

Defendants.

This matter is before the Court following a telephone conference held with counsel on July 20, 2018. The Court and counsel discussed several scheduling matters and potential discovery disputes. Counsel are directed to continue to meet and confer to attempt to resolve any issues regarding Plaintiffs' assertion that Defendants' discovery responses are deficient; Defendants' desire to limit the scope of discovery to a motion for summary judgment based on failure to exhaust administrative remedies; the parties' experts; and the scheduling and taking of depositions. In accordance with the matters discussed during the telephone conference,

**IT IS ORDERED:**

1. Defendants shall have an extension of time to **July 27, 2018**, to file a motion for summary judgment based on failure to exhaust administrative remedies. Plaintiffs may file their response to the motion on or before **August 31, 2018**. Defendants may

file a reply on or before **September 7, 2018**, unless otherwise stipulated by the parties.

2. The parties shall contact the undersigned magistrate judge within seven days (7) after the Court rules on the Motion for Summary Judgment to schedule a telephone conference, if necessary.

Dated this 20<sup>th</sup> day of July, 2018.

BY THE COURT:

s/ Michael D. Nelson  
United States Magistrate Judge